IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 1269 of 2003

For Approval and Signature:

Hon'ble MR.JUSTICE KUNDAN SINGH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

RUPEN HASMUKHLAL SHAH

Versus

REGIONAL PASSPORT OFFICER

Appearance:

MR MM TIRMIZI for the Petitioner.

Mr. D.N.Patel, Senior Standing Counsel for Central Government for the Respondent.

CORAM : MR.JUSTICE KUNDAN SINGH

Date of decision: 20/02/2003

ORAL JUDGEMENT

This is a petition for a direction to the respondent authority to issue a fresh passport to the

petitioner on the basis of the birth certificate issued by the competent authority showing his correct date of birth as 15.12.1968 in place of 13.7.1968. It is also stated that the petitioner has lost his passport already issued to him for which he has already filed a complaint before the authority concerned.

2. Heard the learned counsel for the parties. The petitioner has moved an application for correction of the date of birth as 15.12.1968 in place of 13.7.1968 on the basis of the birth certificate issued by the competent authority. The petitioner has already made an application for this purpose to the respondent authority which is pending. In the facts and circumstances, this petition is being disposed of finally with a direction to the respondent authority to decide the application/representation which has already been filed by the petitioner in accordance with law and on the basis of the material on record within a period of one month from the date of presentation of the certified copy of this judgment. The respondent authority will be at liberty to impose appropriate costs for these proceedings. Rule made absolute to the above extent accordingly with no order as to costs. Direct service permitted.

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